REMARKS

Applicants thank the Examiner for examining the application, and for indicating that claims 3, 5, 6, 9, 11, and 12 would be allowable if rewritten in independent form including the limitations of the base claim and any intervening claims. Applicants have canceled claims 2, 3, 8, and 9, and amended claims 1, 7, 15, and 16. Support for the amendments of claims 1, 7, 15, and 16 may be found throughout the specification, and the amendment of claims 1, 7, 15, and 16 does not constitute the addition of new matter. With the amendment, claims 1, 4-7, and 10-16 are now pending.

Claim Rejections – 35 U.S.C. § 103(a)

The Examiner rejected claims 1, 2, 4, 7, 8, 10, and 13-16 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Published Patent Application No. 2003/0126246 to Blouin et al. in view of U.S. Patent No. 6,826,195 to Nikolich et al.

Applicants have amended independent claim 1 to include the limitations formerly present in Applicants' former dependent claims 2 and 3, now canceled. Applicants' amended independent claim 1 now reads as follows:

A method for selecting routing information to be provided to forwarding devices in a communication network, comprising:

obtaining information describing a plurality of alternative routes between forwarding devices of said communication network from a single routing table, wherein said plurality of alternative routes is deadlock free;

selecting a final enabled routing from said plurality of alternative routes, wherein said selecting optimizes a performance metric, wherein said performance metric is network capacity, wherein selecting the final enabled routing further comprises:

determining a first set of data flows between end nodes attached to said communication network, wherein said first set of data flows is determined, at least in part, responsive to a first one of said alternative routes;

determining, responsive to said first set of data flows, a first standard deviation, wherein said first standard deviation describes a distribution of said

first set of data flows across links in said communication network;

determining a second set of data flows between end nodes attached to said communication network, wherein said second set of data flows is determined response to a second one of said alternative routes;

determining, responsive to said second set of data flows, a second standard deviation, wherein said second standard deviation describes a distribution of said second set of data flows across links in said communication network;

comparing said first standard deviation and said second standard deviation;

selecting said first one of said alternative routes in the event that said first standard deviation is lower than said second standard deviation; and

selecting said second one of said alternative routes in the event that said second standard deviation is lower than said first standard deviation; and delivering a forwarding table to each forwarding device in said communication network, the forwarding tables containing no alternative routes and causing the forwarding devices to implement the final enabled routing.

As the Examiner has previously indicated that the subject matter of Applicants' former dependent claims 3 was not taught or suggested by, nor disclosed by, Blouin et al., Applicants' amended independent claim 1, which incorporates the subject matter of Applicants' former dependent claim 3, is thus also not taught or suggested by Blouin et al. Applicants further note that Nikolich et al. does not teach or suggest Applicants' amended independent claim 1. Therefore, for at least the reasons given above, Applicants' amended independent claim 1 is allowable over Blouin et al. in view of Nikolich et al.

Applicants have amended independent claim 7 to include the limitations formerly present in Applicants' former dependent claims 8 and 9, now canceled. This amendment is similar to the amendment of Applicants' independent claim 1, such that Applicants' amended independent claim 7 now includes limitations similar to those of

Applicants' allowable amended independent claim 1. Therefore, for at least the reasons given above, Applicants' amended independent claim 7 is allowable over Blouin et al. in view of Nikolich et al.

Applicants have also amended independent claims 15 and 16 to include limitations similar to those of Applicants' allowable amended independent claims 1 and 7. Therefore, for at least the reasons given above, Applicants' amended independent claims 15 and 16 are themselves allowable over Blouin et al. in view of Nikolich et al.

Applicants' dependent claims 4-6 and 10-14 depend from, respectively, Applicants' allowable amended independent claims 1 and 7. Therefore, for at least the reasons given above, Applicants' dependent claims 4-6 and 10-14 are themselves allowable over Blouin et al. in view of Nikolich et al.

CONCLUSION

Applicants believe this Amendment and Response to be fully responsive to the present Office Action. Thus, based on the foregoing Remarks, Applicants respectfully submit that this application is in condition for allowance. Accordingly, Applicants request allowance of the application.

Applicants hereby petition for any extension of time required to maintain the pendency of this case. If there is any fee occasioned by this response that is not paid, please charge any deficiency to Deposit Account No. 50-3735.

Should the enclosed papers or fees be considered incomplete, Applicants respectfully request that the Patent Office contact the undersigned collect at the telephone number provided below.

Applicants invite the Examiner to contact the Applicants' undersigned Attorney if any issues are deemed to remain prior to allowance.

Respectfully submitted,

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